

DISPOSITION: 6-13-60. Consent—claimed by Greely Elevator Co., Great Falls, Mont., and denatured for use as animal feed.

26676. Barley. (F.D.C. No. 44488. S. No. 43-290 R.)

QUANTITY: 119,040 lbs. at Spokane, Wash.

SHIPPED: 5-13-60, from Dutton, Mont., by Greely Elevator Co.

LIBELED: 6-8-60, E. Dist. Wash.

CHARGE: 402(a)(2)—the article was a raw agricultural commodity and, when shipped, contained a pesticide chemical, namely, a mercurial compound, which is unsafe within the meaning of 408 since no tolerance or exemption from the requirement of a tolerance for such pesticide chemical on barley has been prescribed by regulations.

DISPOSITION: 6-29-60. Consent—claimed by Greely Elevator Co., and reconditioned for use as seed.

26677. Brewers grits. (F.D.C. No. 44539. S. No. 4-234 R.)

QUANTITY: 129,984 lbs. at Cumberland, Md.

SHIPPED: 3-9-60 and 4-1-60, from Milwaukee, Wis.

LIBELED: 4-22-60, Dist. Md.

CHARGE: 402(a)(3)—contained insects and insect fragments while held for sale.

DISPOSITION: 5-11-60 and 5-18-60. Consent—claimed by Queen City Brewing Co., Cumberland, Md., and denatured for use as animal feed.

26678. Buckwheat groats. (F.D.C. No. 44265. S. Nos. 90-338 P, 91-098/9 P.)

QUANTITY: 22 50-lb. bags, 60 50-lb. bags, and 32 50-lb. bags at Charlestown, Mass., in possession of John F. Raeke Co.

SHIPPED: Between 9-3-59 and 12-8-59, from Penn Yan, N.Y.

LIBELED: 2-26-60, Dist. Mass.

CHARGE: 402(a)(3)—22-bag and 60-bag lots contained rodent urine and rodent excreta pellets; and 402(a)(4)—all lots held under insanitary conditions.

DISPOSITION: 4-25-60. Default—delivered to a public institution for use as animal feed.

26679. Buckwheat groats. (F.D.C. No. 44259. S. Nos. 90-339/40 P.)

QUANTITY: 31 50-lb. bags at Chelsea, Mass.

SHIPPED: 12-9-59, from Penn Yan, N.Y.

LIBELED: 2-25-60, Dist. Mass.

CHARGE: 402(a)(3)—contained rodent urine while held for sale.

DISPOSITION: 4-25-60. Default—delivered to a public institution for use as animal feed.

DAIRY PRODUCTS

BUTTER

26680. Butter. (F.D.C. No. 43732. S. No. 29-322 R.)

QUANTITY: 156 64-lb. boxes at New York, N.Y.

SHIPPED: 5-26-60, from Parkersburg, Iowa.

RESULTS OF INVESTIGATION: Analysis showed the article to be deficient in fat and below the legal standard for milk fat.

LIBELED: 6-16-60, S. Dist. N.Y.

CHARGE: 402(b)(2)—while held for sale, the article was below the legal standard for milk fat.

DISPOSITION: 7-1-60. Consent—claimed by Kesley Cooperative Creamery, Kesley, Iowa, and reworked.

26681. Butter. (F.D.C. No. 43733. S. No. 26-077 R.)

QUANTITY: 32 64-lb. boxes at Los Angeles, Calif.

SHIPPED: 6-4-60, from Cabool, Mo., by Producers Creamery Co.

LABEL IN PART: "SWEET CREAM BUTTER * * * Producers Creamery Co., Cabool, Missouri."

LIBELED: 6-17-60, S. Dist. Calif.

CHARGE: 402(b)(1)—when shipped, a product containing less than 80 percent by weight of milk fat had been substituted for butter.

DISPOSITION: 7-8-60. Consent—claimed by Wilsey-Bennett Co., Los Angeles, Calif., and brought into compliance with the law.

MILK

26682. Evaporated milk. (F.D.C. No. 44588. S. No. 25-419 R.)

QUANTITY: 498 cases, 48 14½-oz. cans each, at Phoenix, Ariz.

SHIPPED: 2-3-60 and 3-11-60, from Hanford, Calif., by Safeway Stores, Inc., Milk Department.

LABEL IN PART: (Can) "Cherub Evaporated Milk * * * Distributed by Safeway Stores, Inc., Oakland, Calif."

RESULTS OF INVESTIGATION: Examination showed that the article contained added poisonous and deleterious substances, namely, DDT, DDD, and TDE.

LIBELED: 5-24-60, Dist. Ariz.

CHARGE: 402(a)(2)—when shipped, the article contained added poisonous and deleterious substances, namely, DDT, DDD, and TDE, which are unsafe within the meaning of 406 since these are substances not required in the production of the article and can be avoided by good manufacturing practice.

DISPOSITION: 7-25-60. Default—destruction.

EGGS

26683. Frozen eggs (2 seizure actions). (F.D.C. Nos. 43557, 43945. S. Nos. 63-973/6 P. 64-344 P.)

QUANTITY: 4,099 30-lb. cans and 1,175 30-lb. cans at Boston and Cambridge, Mass.

SHIPPED: The article was shipped in the form of shell eggs between the approximate dates of 4-10-59 and 10-9-59, from various interstate and intrastate sources in the States of Maine, Massachusetts, New Hampshire, and Rhode Island.

RESULTS OF INVESTIGATION: Upon receipt of the shell eggs which had been shipped as described above, the Fleishman Egg Co., Boston, Mass., packed such eggs in the form of frozen eggs.